

## AMENDMENTS TO THE CLAIMS

1. (Currently Amended) An optical rotary encoder, comprising:
  - a rotary slit plate having a rotation angle detection track ~~formed by~~ including an optical slit;
  - a light source for applying light to said optical slit;
  - ~~light-receiving~~ detecting elements for rotation angle detection arranged in corresponding relationship with positions to which light emitted from said light source is applied to said optical slit, ~~thereby-receiving-said~~ detecting the light emitted from said light source and passing through said optical slit; and
  - ~~light-receiving~~ detecting elements for light amount monitoring arranged ~~at several~~ at respective locations on a circumference in corresponding relationship with positions ~~to~~ at which light emitted from said light source is applied to said optical slit, ~~thereby-receiving~~ said and detecting the light emitted from said light source and passing through said optical slit, wherein
  - said ~~light-receiving~~ detecting elements for light amount monitoring have an angular width that is an ~~integral~~ integer multiple of ~~the~~ an angular interval of ~~the~~ the light intensity distribution, on surfaces of said ~~light-receiving~~ detecting elements for light amount monitoring, of the light emitted from said light source and that has passed through said optical slit, and
  - first and second light detecting elements of said light detecting elements for light amount monitoring are arranged on a circumference in corresponding relationship with positions at which the light emitted from said light source is applied to said optical slit, and said first and second light detecting elements for light amount monitoring are located 180 degrees from each other with respect to a center point of the circumference, thereby reducing variations of signals from said light detecting elements for light amount monitoring caused by deviations of the intensity distribution and of said light detecting elements for light amount monitoring in a radial direction.

Claims 2-4 (Cancelled).

5. (Currently Amended) The optical rotary encoder according to claim 1, wherein ~~both~~ ends of said light ~~receiving~~ detecting elements for light amount monitoring in ~~said radius~~ the radial direction are arranged within or outside ~~the~~ a width dimension, in ~~said radius~~ the radial direction, of light emitted from said light source and passed through said optical slit in a distribution of ~~said~~ the light formed on surfaces of said light ~~receiving~~ detecting elements for light amount monitoring.

6. (New) The optical rotary encoder according to claim 1, wherein third and fourth light detecting elements of said light detecting elements for light amount monitoring are arranged on a circumference in corresponding relationship with positions at which light emitted from said light source is applied to said optical slit, and are spaced at an interval of (odd number / 2) of the angular interval of the intensity distribution.